

AP/JPW

OCT 23 2007

**AMENDMENT TRANSMITTAL**

**PATENT**

Application No.: 10/815,569  
Filing Date: June 30, 2004  
First Named Inventor: Steven M. Bennett  
Examiner's Name: Wilson, Yolanda L.  
Art Unit: 2113  
Attorney Docket No.: 42P17572

☒ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.  
☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.  
☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.  
Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

☐ Preliminary Amendment  
☒ Amendment/Response with respect to Office Action  
☒ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)  
☐ Notice of Appeal  
☐ RCE (Request for Continued Examination)  
☐ Supplemental Declaration  
☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)  
☐ Information Disclosure Statement (IDS)  
☐ Copies of IDS citations  
☐ Petition for Extension of Time  
☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)  
☐ Cross-Reference to Related Application(s)  
☐ Certified Copy of Priority Document  
☐ Other: \_\_\_\_\_  
☐ Other: \_\_\_\_\_  
☐ Check(s) \$ \_\_\_\_\_  
☒ Postcard (Return Receipt)

**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
TYPED OR PRINTED NAME: Marina Portnova  
SIGNATURE: *M. Portnova*  
REG. NO.: 45,750  
DATE: October 19, 2007  
ADDRESS: 1279 Oakmead Parkway  
Sunnyvale, California 94085  
TELEPHONE NO.: (408) 720-8300

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on October 19, 2007

Date of Deposit

Michelle Begay  
*Michelle B* Name of Person Mailing Correspondence  
Signature October 19, 2007 Date

Express Mail Label No. (if applicable):

**FEE TRANSMITTAL FOR FY 2008**

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** \$00.00

Complete the following:

Application No. 10/815,569  
 Filing Date June 30, 2004  
 First Named Inventor Steven M. Bennett  
 Examiner Name Wilson, Yolanda L.  
 Art Unit 2113  
 Attorney Docket No. 42P17572

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☒ None ☐ Other (please identify)☐ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name:

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:

- ☒ Charge fee(s) indicated below.  
☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.  
☒ Charge fee(s) indicated below except for the filing fee  
☒ Credit any overpayments.  
☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description	Fees Paid (\$)
Code	Fee (\$)	Code	Fee (\$)		
1011	310	2011	155	Utility application filing fee	1,030/515
1111	510	2111	255	Utility search fee	
1311	210	2311	105	Utility examination fee	
1012	210	2012	105	Design application filing fee	440/220
1112	100	2112	50	Design search fee	
1312	130	2312	65	Design examination fee	
1013	210	2013	105	Plant filing fee	680/340
1113	310	2113	155	Plant search fee	
1313	160	2313	80	Plant examination fee	
1004	810	2004	405	Reissue filing fee	1,940/970
1114	510	2114	255	Reissue search fee	
1314	620	2314	310	Reissue examination fee	
1005	210	2005	105	Provisional application filing fee	
SUBTOTAL (1)					<u>\$0.00</u>

**2. EXCESS CLAIM FEES****Fee Description****Large Entity**      **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)
1202	50	2202	25
1201	210	2201	105
1203	370	2203	185
1204	210	2204	105
1205	50	2205	25

**Fee Description**

Each claim over 20  
 Each independent claim over 3  
 Multiple dependent claims, if not paid  
 Reissue: each claim over 20 and more than in the original patent  
 Reissue: each independent claim more than in the original patent

**Extra Claims****Fee****Fees Paid (\$)**

Total Claims 30 - 20 or 30 =           

HP = highest number of total claims paid for, if greater than 20

X \$ 50.00 = 00.00

Independent Claims 4 - 3 or 4 =           

HP = highest number of independent claims paid for, if greater than 3

X \$210.00 = 00.00

Multiple Dependent Claims

           =           

SUBTOTAL (2) \$ 00.00

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
<u>          </u>	- 100 = <u>          </u>	/ 50 = <u>          </u> (round up to whole number)	X \$260.00	<u>          </u>

**Large Entity**      **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)
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**Fee Description:** Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):

1081	260	2081	130	Utility
1082	260	2082	130	Design
1083	260	2083	130	Plant
1084	260	2084	130	Reissue

SUBTOTAL (3) \$ 00.00

**FEE CALCULATION (continued)****4. OTHER FEE(S)****Fees Paid (\$)**

Non-English Specification, \$130 fee (no small entity discount)

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	
Code	Fee (\$)	Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	460	2252	230	Extension for reply within second month	
1253	1,050	2253	525	Extension for reply within third month	
1254	1,640	2254	820	Extension for reply within fourth month	
1255	2,230	2255	1,115	Extension for reply within fifth month	
1401	510	2401	255	Notice of Appeal	
1402	510	2402	255	Filing a brief in support of an appeal	
1403	1,030	2403	515	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	510	2452	255	Petition to revive - unavoidable	
1453	1,540	2453	770	Petition to revive - unintentional	
1501	1,440	2501	720	Utility issue fee (or reissue)	
1502	820	2502	410	Design issue fee	
1503	1,130	2503	565	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	810	2809	405	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	810	2810	405	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	810	2801	405	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(l) (except provisionals)	
1454	1,410	1454	1,410	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (4) \$ 00.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Marina PortnovaSignature: *M. Portnova*Date: October 19, 2007Reg. Number: 45,750Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Att. Docket No. 42P17572

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

Steven M. Bennett, et al.

Application No.: 10/814,569

Filed: March 30, 2004

For: Providing Support For Single Stepping A  
Virtual Machine In A Virtual Machine  
Environment

Examiner: Wilson, Yolanda L.

Art Unit: 2113

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION  
UNDER 37 C.F.R. § 1.116

Sir:

In response to the Final Office Action mailed September 28, 2007, Applicants respectfully request the Examiner to enter the following amendments and consider the following remarks:

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on October 19, 2007 \_\_\_\_\_

Date of Deposit

Michelle Begay \_\_\_\_\_

Name of Person Mailing Correspondence

Michelle A. \_\_\_\_\_

Signature

October 19, 2007 \_\_\_\_\_

Date